

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

ENDO PHARMACEUTICALS INC.,

C.A. No. 13-cv-3288-TPG

Plaintiff,

v.

ROXANE LABORATORIES, INC.,

Defendant.

ENDO PHARMACEUTICALS INC. and
GRÜNENTHAL GMBH,

C.A. No. 12-cv-8115-TPG

Plaintiffs,

v.

AMNEAL PHARMACEUTICALS, LLC and
AMNEAL PHARMACEUTICALS OF NEW
YORK, LLC,

Defendant.

ENDO PHARMACEUTICALS INC.,

C.A. No. 13-cv-8597-TPG

Plaintiff,

v.

RANBAXY LABORATORIES LTD.,
RANBAXY INC. and RANBAXY
PHARMACEUTICALS INC.

Defendants.

ENDO PHARMACEUTICALS INC.,

Plaintiff,

v.

RANBAXY LABORATORIES LTD.,
RANBAXY INC. and RANBAXY
PHARMACEUTICALS INC.,

Defendants.

**DECLARATION OF PAUL B. SUDENTAS IN SUPPORT OF DEFENDANTS' MOTION
FOR REDUCTION IN THE NUMBER OF ASSERTED CLAIMS**

I, Paul B. Sudentas, hereby affirm under penalty of perjury as follows:

1. I am an associate with the law firm of Locke Lord LLP and an attorney duly admitted to practice law in the State of New York. I serve as one of the counsel for Roxane Laboratories, Inc. in this matter. I submit this declaration in support of Defendants' Motion to Reduce Number of Asserted Claims for Trial. I have knowledge of the following, and if called as a witness, could testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of United States Patent No. 8,309,122 entitled, "Oxymorphone Controlled Release Formulations" dated November 13, 2012 and filed with the United States Patent and Trademark Office on or about February 28, 2007.

3. Attached hereto as Exhibit B is a true and correct copy of United States Patent No. 8,329,216 entitled, "Oxymorphone Controlled Release Formulations" dated December 11, 2012 and filed with the United States Patent and Trademark Office on or about June 29, 2006.

4. Attached hereto as Exhibit C is a true and correct copy of United States Patent No. 7,851,482 entitled, "Method for Making Analgesics" dated December 14, 2010 and filed with the United States Patent and Trademark Office on or about October 3, 2007.

5. Attached hereto as Exhibit D is a true and correct copy of a letter from Matthew M. D'Amore to Jonathan D. Loeb dated July 16, 2014.

6. Attached hereto as Exhibit E is a true and correct copy of a letter from Andrea Cheek to Jonathan D. Loeb dated August 1, 2014.

7. Attached hereto as Exhibit F is a true and correct copy of a letter from Jonathan D. Loeb to Defendants and Proposed Case Management Order dated July 24, 2014.

8. Attached hereto as Exhibit G is a true and correct copy of excerpts of the transcript of status conference before United States District Judge Thomas P. Griesa dated December 5, 2013 in the U.S. District Court for the Southern District of New York Consolidated Civil Action No. 12-CV-8060.

9. Attached hereto as Exhibit H is a true and correct copy of the Memorandum in Support of Plaintiff's Motion for Preliminary Injunction dated August 6, 2013 and filed in *Endo Pharmaceuticals Inc. v. Roxane Laboratories, Inc.* (13-cv-3288), which is being filed under seal.

10. Attached hereto as Exhibit I is a true and correct copy of excerpts of Endo's Slide presentation dated January 23, 2014.

11. Attached hereto as Exhibit J is a true and correct copy of excerpts of the transcript of status conference before United States District Judge Thomas P. Griesa dated February 20, 2014 in the U.S. District Court for the Southern District of New York Consolidated Civil Action No. 12-CV-8060.

12. Attached hereto as Exhibit K is a true and correct copy of excerpts of the transcript of status conference before United States District Judge Thomas P. Griesa dated April 2, 2014 in the U.S. District Court for the Southern District of New York Consolidated Civil Action No. 12-CV-8060.

13. Attached hereto as Exhibit L is a true and correct copy of a letter from Myoka Kim Goodin to Jonathan D. Loeb dated May 15, 2014.

14. Attached hereto as Exhibit M is a true and correct copy of an e-mail correspondence from Paul B. Sudentas to Jonathan D. Loeb dated May 28, 2014.

15. Attached hereto as Exhibit N is a true and correct copy of an e-mail correspondence from Paul B. Sudentas to Jonathan D. Loeb dated June 16, 2014.

16. Attached hereto as Exhibit O is a true and correct copy of a letter from Jonathan D. Loeb to Defendants dated June 17, 2014.

17. Attached hereto as Exhibit P is a true and correct copy of a letter from Paul B. Sudentas to Jonathan D. Loeb dated August 1, 2014.

18. Attached hereto as Exhibit Q is a true and correct copy of a letter from Eric H. Yecies to Jonathan D. Loeb dated August 1, 2014.

19. Attached hereto as Exhibit R is a true and correct copy of a terminal disclaimer filed by Endo during the prosecution of Patent Application No. 11/680432 dated September 19, 2012.

20. Attached hereto as Exhibit S is a true and correct copy of the notice of allowance for Patent Application No. 11/427438 dated October 15, 2012.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that this declaration was executed on August 28, 2014 in New York, New York.

Dated: August 28, 2014



Paul B. Sudentas